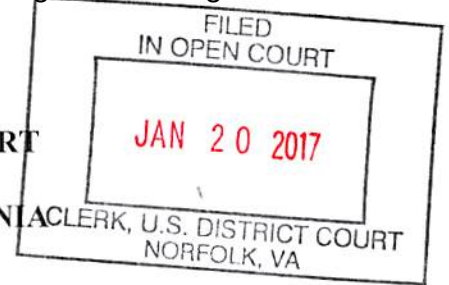


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division



UNITED STATES OF AMERICA

v.

JUSTIN EDWARD MCGINNIS,

Defendant.

)
)
) CRIMINAL NO. 2:17cr 7
)

) 21 U.S.C. § 846

) Conspiracy to Distribute and Possess with
) Intent to Distribute Methamphetamine
) (Count 1)
)

) 21 U.S.C. § 841(a)(1)

) Distribute and Possess with Intent to
) Distribute Methamphetamine
) (Counts 2-4)
)

) 18 U.S.C. § 922(g)(1)

) Felon in Possession of a Firearm
) (Count 5)
)

) 21 U.S.C. § 853

) Forfeiture Allegation
)

INDICTMENT

January 2017 Term - at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

From in or about February of 2016 and continuing thereafter until on or about October 7, 2016, in the Eastern District of Virginia and elsewhere, the defendant, JUSTIN EDWARD MCGINNIS, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree with other persons, both known and unknown, to commit one or more of the following offenses:

1. To unlawfully, knowingly and intentionally distribute and possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

The objectives of the conspiracy were making money through the distribution of methamphetamine and obtaining methamphetamine for personal consumption. In furtherance of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia.

1. On or about September 16, 2016, at Chesapeake in the Eastern District of Virginia, JUSTIN EDWARD MCGINNIS distributed a quantity of methamphetamine.

2. On or about October 6, 2016, at Virginia Beach in the Eastern District of Virginia, JUSTIN EDWARD MCGINNIS distributed a quantity of methamphetamine.

3. On or about October 7, 2016, at Virginia Beach in the Eastern District of Virginia, JUSTIN EDWARD MCGINNIS possessed methamphetamine with intent to distribute, various pills, a digital scale, drug packaging materials, smoking devices, approximately \$5,632 in cash, five firearms and ammunition at a residence on Paris Street.

(All in violation of Title 21, United States Code, Section 846.)

COUNT TWO

On or about September 16, 2016, at Chesapeake in the Eastern District of Virginia, the defendant, JUSTIN EDWARD MCGINNIS, did unlawfully, knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT THREE

On or about October 6, 2016, at Virginia Beach in the Eastern District of Virginia, the defendant, JUSTIN EDWARD MCGINNIS, did unlawfully, knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT FOUR

On or about October 7, 2016, at Virginia Beach in the Eastern District of Virginia, the defendant, JUSTIN EDWARD MCGINNIS, did unlawfully, knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT FIVE

On or about October 7, 2016, at Virginia Beach in the Eastern District of Virginia, the defendant, JUSTIN EDWARD MCGINNIS, having been previously convicted of a felony crime punishable by imprisonment for a term exceeding one year, did unlawfully and knowingly possess in and affecting commerce one or more firearms, that is, one Charter Arms Model AR7 Explorer .22 caliber rifle, one Llama Model .380, .380 caliber pistol, one Raven Arms Model P25, .25 caliber pistol, one Ruger Model Super Blackhawk .44 caliber revolver, and one Walther Model P22, .22 caliber pistol, all of which had been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

FORFEITURE ALLEGATION

THE GRAND JURY FURTHER ALLEGES AND FINDS PROBABLE CAUSE THAT:

1. The defendant, JUSTIN EDWARD MCGINNIS, if convicted of any of the violations alleged in Counts One through Four of this Indictment, as part of the sentencing of the defendant pursuant to F.R.Cr.P. 32.2 and 21 U.S.C. § 853, shall forfeit to the United States:

a. Any property, real or personal used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation;

b. Any property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the; and,

c. Any other property of the defendant up to the value of the property subject to forfeiture above, if any property subject to forfeiture above, (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third person, (c) has been placed beyond the jurisdiction of the Court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be subdivided without difficulty.

2. The defendant, JUSTIN EDWARD MCGINNIS, if convicted of the violation alleged in Count Five of this Indictment, shall forfeit to the United States one Charter Arms Model AR7 Explorer .22 caliber rifle, one Llama Model .380, .380 caliber pistol, one Raven Arms Model P25, .25 caliber pistol, one Ruger Model Super Blackhawk .44 caliber revolver, and one Walther Model P22, .22 caliber pistol.

(All in accordance with Title 21, United States Code, Section 853; Title 18, United States Code, Section 924(d); Title 28, United States Code, Section 2461(c).)

United States v. Justin Edward McGinnis
Criminal No. 2:17cr **7**

Sealed Pursuant to the
E-Government Act of 2002

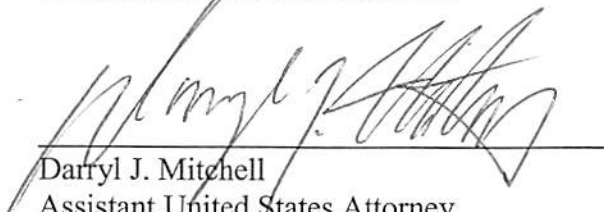
A TRUE BILL:

Redacted

FOREPERSON

DANA J. BOENTE
UNITED STATES ATTORNEY

By:



Darryl J. Mitchell
Assistant United States Attorney
Virginia Bar No. 37411
Attorney for the United States
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Office Number - 757-441-6331
Facsimile Number - 757-441-6689
E-Mail Address - darryl.mitchell@usdoj.gov